

RESOLUTION NO. A-_____

USE PERMIT NO. 33C

1 WHEREAS, Gallup, Inc. has submitted an application in accordance with
2 Section 27.27.080 of the Lincoln Municipal Code designated as Use Permit No. 33C for
3 authority to add two lots to an existing use permit for construction of an office building,
4 on property generally located at Haverford Drive and L Street, and legally described to
5 wit:

6 Lots 1-4 and Lot 7, Executive Center 1st Addition, located in
7 the Northeast Quarter of Section 29, Township 10 North,
8 Range 7 East of the 6th P.M., Lancaster County, Nebraska;

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this office building will not be adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions
12 hereinafter set forth are consistent with the intent and purpose of Title 27 of the Lincoln
13 Municipal Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
15 Lincoln, Nebraska:

16 That the application of Gallup, Inc., hereinafter referred to as "Permittee",
17 to add two lots to an existing use permit for construction of an office building on the
18 property legally described above be and the same is hereby granted under the
19 provisions of Section 27.27.080 of the Lincoln Municipal Code upon condition that
20 construction and operation of said office building be in strict compliance with said
21 application, the site plan, and the following additional express terms, conditions, and

1 requirements:

2 1. This permit approves 155,000 square feet of commercial floor area
3 in five buildings.

4 2. The office building for Phase 9 shall:

5 a. Be limited to one story.

6 b. Have an exterior of primarily brick.

7 c. Have a typical residential style pitched roof.

8 d. Have windows and doors oriented towards Haverford Drive
9 and L Street.

10 e. Have a setback of 30' along Haverford Drive.

11 f. Take access only from the east, off of the existing driveway
12 onto L Street.

13 3. Before receiving building permits:

14 a. The Permittee must submit an acceptable revised final plan
15 and seven copies.

16 b. The construction plans must conform to the approved plans.

17 4. Before occupying the office buildings in Phases 6 and 9, all
18 development and construction must conform to the approved plans.

19 5. All privately-owned improvements, including landscaping, must be
20 permanently maintained by the Permittee.

21 6. The site plan approved by this Permit shall be the basis for all
22 interpretations of setbacks, yards, locations of buildings, location of parking and
23 circulation elements, and similar matters.

1 7. The terms, conditions, and requirements of this resolution shall be
2 binding and obligatory upon the Permittee, its successors and assigns. The building
3 official shall report violations to the City Council which may revoke this use permit or
4 take such other action as may be necessary to gain compliance.

5 8. The Permittee shall sign and return the City's letter of acceptance
6 to the City Clerk within 30 days following approval of this use permit, provided, however,
7 said 30-day period may be extended up to six months by administrative amendment.
8 The City Clerk shall file a copy of the resolution approving this use permit and the letter
9 of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by
10 the Permittee.

11 9. The site plan as approved with this resolution voids and
12 supersedes all previously approved site plans; however, all resolutions approving
13 previous permits remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2004:

Mayor